UNITED
NATIONS

A

General Assembly

Distr.
LIMITED

A/C.6/48/L.6
15 November 1993

ORIGINAL: ENGLISH

Forty-eighth session
SIXTH COMMITTEE
Agenda item 144

REPORT OF THE UNITED NATIONS COMMISSION ON INTERNATIONAL TRADE LAW ON THE WORK OF ITS TWENTY-SIXTH SESSION

Argentina, Australia, Austria, Azerbaijan, Belarus, Brazil, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Finland, France, Greece, Italy, Kyrgyzstan, Morocco, Myanmar, Norway, Poland, Russian Federation, Singapore, Sweden, Thailand, Turkey, Ukraine and Venezuela: draft resolution

Report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session, 1/

Mindful of the valuable contribution being rendered by the United Nations Commission on International Trade Law within the framework of the United Nations Decade of International Law,

Having considered also the report of the Secretary-General, 2/

Concerned about the continuing relatively low incidence of expert representation from developing countries at sessions of the Commission and particularly of its working groups during recent years, due in part to inadequate resources to finance the travel of such experts,

1. Takes note with appreciation of the report of the United Nations Commission on International Trade Law on the work of its twenty-sixth session;

2. Welcomes the ongoing work of the Commission and appreciates the many proposals on possible future work made during the UNCITRAL Congress on International Trade Law held at New York from 18 to 22 May 1992 and, in this connection:

(a) Welcomes the decision of the Commission to request the secretariat to commence work in preparation of guidelines for pre-hearing conferences in arbitral proceedings;

(b) Welcomes the decision of the Commission to continue considering the other proposals made during the Congress as part of its future programme of work;

3. Reaffirms the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field in order to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law and, in this connection, recommends that the Commission, through its secretariat, continue to maintain close cooperation with the other intergovernmental and non-governmental organizations, including regional organizations, active in the field of international trade law;

4. Reaffirms the importance, in particular for developing countries, of the work of the Commission concerned with training and assistance in the field of international trade law and the desirability for it to sponsor seminars and symposia to provide such training and assistance, and, in this connection:

1/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 17 (A/48/17).

2/ A/48/296.

(a) Expresses its appreciation to the Commission for organizing seminars in Bangkok, Thailand; Jakarta, Indonesia; Lahore, Pakistan; Colombo, Sir Lanka; Dhaka, Bangladesh; Kiev, Ukraine; Warsaw, Poland and Rogaska Slatina, Slovenia and for assisting the Pacific Economic Co-operation Council with its initiative to promote harmonization of international trade law in the Asia-Pacific region, and to the Governments whose contributions enabled the seminars to take place;

(b) Urges Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the trust fund for the United Nations Commission on International Trade Law symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

(c) Appeals to the United Nations Development Programme and other United Nations bodies responsible for development assistance to support the Commission's training and technical assistance programme and to cooperate and coordinate their activities with those of the Commission;

5. Requests the Secretary-General, in order to ensure full participation by all member States in the sessions of the Commission and its working groups, to establish a separate trust fund for the Commission to grant travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

6. Decides, in order to ensure full participation by all member States in the sessions of the Commission and its working groups, to continue its consideration in the competent Main Committee during the forty-eighth session of the General Assembly on granting travel assistance, within existing resources, to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

7. Expresses its appreciation to the Commission for organizing the Fifth UNCITRAL Symposium on International Trade Law in Vienna from 12 to 16 July 1993 on the occasion of its twenty-sixth session;

8. Stresses the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law and to this end invites States that have not yet done so to consider signing, ratifying or acceding to these conventions;

9. Requests the Secretary-General to submit a report on the implementation of paragraphs 5 and 6 of the present resolution to the General Assembly at its forty-ninth session.